

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JONATHAN SANTIAGO ROSARIO, individually
and on behalf of all others similarly situated,

Plaintiff,

v.

STARBUCKS CORPORATION,

Defendant.

No. 2:16-cv-01951-RAJ

**JOINT MOTION AND
ORDER TO TRANSFER VENUE**

In accordance with the Court's Order of March 19, 2019 requiring the parties to file any joint motion to transfer this matter on or before April 12, 2019, Plaintiff Jonathan Rosario and Defendant Starbucks Corporation jointly move this Honorable Court to transfer this matter to the Northern District of Georgia and in support of same state as follows:

Pursuant to 28 U.S.C. § 1404(a), "[A] district court may transfer any civil action ... to any district or division to which all parties have consented." Section 1404(a) directs courts considering a transfer to evaluate (1) "the convenience of the parties and witnesses," and (2) "the interest of justice."

The parties each consent to a transfer of this matter to the Northern District of Georgia and intend, after said transfer, to seek the consolidation of this matter with the matter of *Wills v. Starbucks Corporation*, No. 1:17-cv-03654-CAP-CMS (N.D. Ga.), for the purpose of settling both class actions and directing notice to a single nationwide class.

1 Both the *Rosario* and *Wills* matters involve identical claims, namely that Starbucks failed
2 to comply with 15 U.S.C. § 1681b(b)(3)(a) in its use of background reports for hiring purposes,
3 and seek identical relief for the named plaintiffs and class members.

4 Further, the classes of job applicants in each case are congruent and encompass nearly
5 8,100 individuals. This supports treating them as a single class in one case.

6 Now, following years of litigation and several sessions with a private mediator, the parties
7 have reached an agreement in principle to settle both the *Rosario* case and the *Wills* case on a
8 class basis. The settlement will be facilitated by transferring *Rosario* to the Northern District of
9 Georgia and consolidating it with *Wills*. A transfer to the Northern District of Georgia would be
10 more convenient for the parties and witnesses and would also promote the interests of justice by
11 decreasing the possibility of conflicts between the two cases.

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Therefore, the Court should transfer this case to the United States District Court for the Northern District of Georgia to be consolidated with *Wills v. Starbucks Corporation*, No. 1:17-cv-03654-CAP-CMS (N.D. Ga.) for settlement purposes.

Dated: April 17, 2019

Respectfully submitted,

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Attorneys for Defendant

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ORDER

IT IS SO ORDERED.

DATED this 17th day of April, 2019.



The Honorable Richard A. Jones
United States District Judge